

BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES

MEETING DATE: August 28, 2018

CALL TO ORDER: The meeting of the Ogdensburg Land Use Board was called to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

STATEMENT OF COMPLIANCE:

The notice requirement of P.L. 1975, Chapter 231, Sections 4 and 13 have been satisfied with a schedule of all meetings together with the time, location and agenda of same being sent to the NEW JERSEY HERALD and the NEW JERSEY SUNDAY HERALD and posted on the bulletin board at the Borough Hall on January 25, 2017.

1. **ROLL-CALL:** **Present:** Armstrong, Andrews, Fitzgibbons, Hart, Honig, Kibildis, Nasisi, McGuire and Telischak*
Absent: Fierro and Slater
Professionals Present: Gene Buczynski, Angela Knowles and Roger Thomas**
*Mr. Telischak arrived at 7:05 P.M.
**Attorney Thomas left at 8:00 P.M.

2. **APPROVAL OF MINUTES**

A motion to approve the minutes of the July 24, 2018 meeting was made by John Kibildis, seconded by Anthony Nasisi with Armstrong, Fitzgibbons and Andrews also in favor and Honig, Hart and McGuire abstaining.

3. **OPEN TO THE PUBLIC**

A motion to open to the public was made by Bill Andrews, second by Elliott Honig with all in favor.

Mr. Jesse Woll of 10 Moran Street, Newton, NJ appeared before the Board. Mr. Woll stated that he was given the information he needs prior to this night's meeting. Mr. Woll explained that he recently entered into an agreement with the landlord of 186 Main Street, Ogdensburg, the Delta Gas Station. The lease stated that he would be allowed to have 15 cars on the property and operate as a used car dealer. He said that he does not require a retail location but needs a service facility and has a licensed retail location compliant with the State. Basically, Mr. Woll stated that what he was told wasn't true and understands what he would need to do to fix it but said that he will vacate the property because of time constraints.

MEETING MINUTES

August 28, 2018

Page 2.

The Zoning Officer said that he ran into a tow truck driver on the 18th who was blocking the view and Jesse immediately came and squared that away. Mr. Woll has not applied for a Zoning Permit and he is in there operating illegally. He has not registered with the Fire Marshal's office. This owner told this young man that he can go in there and do whatever. The last guy had to leave because he was doing what is not permitted. Chairman Armstrong instructed Mr. Woll to obtain a zoning permit but Mr. Woll said he will be leaving before September. The LDO's as they are today, service stations can only have six (6) cars. The other problem we have with the Municipal Ordinances and the safety is line of site is 750 feet left and right. That particular location had trouble complying with the six (6) cars and line of sight. Mr. Woll now has the documentation to go back to the landlord.

Councilman Nasisi inquired if we can go talk to the landlord and inform him of the ordinances. Chairman Armstrong replied that Mr. Woll will be telling the landlord and the Zoning Officer has dealt with that landlord before so he is aware. As a Board, we do not normally go out and Attorney Thomas agreed that we do not have the enforcement power and Kevin Kervatt as the Zoning Officer has that authority. The Zoning Officer will be going after that property because it is a disgrace with a load of tires, etc. Mr. Woll stated that the gas station attendant has been squatting in the shop for the last eighteen (18) months. He was living in the back office for the last three and a half months. The place was a mess. After paying a \$2,000 security deposit, Mr. Woll went in there, cleaned up the mess and kicked him out without getting anyone involved; didn't call the cops or anyone. Then he moved into the storefront but he left after a three-way conversation with the landlord. He doesn't have a car so he is only there if he can catch an Uber. Mr. Woll said that when he leaves, he will move right back in.

Mr. McGuire asked if the town took that place over when the owner failed to pay the property taxes. It was affirmed that was true for a short period of time.

Chairman Armstrong stated that this town and this Board support small businesses to occupy and become profitable entities but we also have Land Development Ordinances and Municipal Ordinances which need to be adhered to.

4. CLOSE TO THE PUBLIC

A motion to close to the public was made by Patrick Fitzgibbons, second by John Kibildis with all in favor.

MEETING MINUTES

August 28, 2018

Page 3.

5. OLD BUSINESS/ NEW BUSINESS:

a. Master Plan Re-Examination Report

Chairman Armstrong remarked that this is a Work Session for the Master Plan Re-Examination. Angela is here to hear our concerns and learn about the Borough. Engineer Buczynski introduced Angela Knowles, Planner at Van Cleef Engineering who will be doing the Re-Examination Report. As Bob just said, I thought that this is really a meeting where the Board can give us input based on the original plan. I made some notes myself and some things I thought you might want to take out of it. I had Angela come today so she can get a feeling from the Board on what your thoughts are and she can start working on it with a little more detail. Chairman Armstrong asked Planner Knowles if she has read the Re-Examination Report and she answered in the affirmative. When asked if she has read the Master Plan, Planner Knowles said that she has read most of it.

Planner Knowles stated that the Goals and Objectives are the meat and potatoes of the report. There is also another section towards the end that talks about how problems and objectives from the previous plan have been addressed. Since it's been ten years, we can review what goals and objectives have been met that no longer need to be in here and then, of course, any new goals and objectives in the town.

Chairman Armstrong stated that the town attracts many first-time homebuyers; it has very little industry and most of the large tracts of land are now owned by the State. With regard to the Highlands Act, some of the Borough is in the Preservation Area which is a forest.

The rest of the town is in the Planning Area but we have not met the criteria under the Act. Ogdensburg is a built up town but we want to look like Mayberry USA. We want the Main Street to look great and the property values to soar. If we plan it right, we can have a jewel of a town. We have an infrastructure dating back prior to the Revolutionary War and we are an ex-mining town similar to what you have seen in Pennsylvania, Carbondale and Simpson. The mines shut down and the town was left behind.

Our adjacent communities are thriving: Sparta is thriving, Franklin is a disaster, Hardyston is nice. If we can emulate a town, to me it would be Sparta. We have a Main Street with a retail zone and we want to be very careful what we do with our retail zone. Another thing we did was a Redevelopment Study earmarking certain lots for redevelopment but we didn't want to extend the breadth of Main Street and have a tattoo parlor or barber shop next to a residential property. A Redevelopment Report was prepared by Bob Tessier. Vice Chairman Fitzgibbons remarked that we should revisit that report and see if there is anything there of value that we can utilize but it isn't just a matter of doing anything, there hasn't been any interest in doing anything which is worse.

MEETING MINUTES

August 28, 2018

Page 4.

Chairman Armstrong said that to save our downtown, nobody can park in our downtown. Twenty five years ago, 15,000 vehicles came in a twenty four hour period over that road and that was before the bypass. That's a roadblock for us. Engineer Buczynski said that there are empty spaces but there is the Atlantic Manor which is thriving but Chairman Armstrong stated that they are struggling. There is another business which was an eyesore, the Ogdensburg Pub, which is being renovated and when they are finished, we will have two restaurants in town.

Mr. Kibildis remarked that the Dunkin Donuts has been an asset. Mr. Andrews noted that parking for all three (3) establishments is minimal. Also, Chairman Armstrong noted that the boat and plow business is kept clean and neat.

Mr. Kibildis suggested we just do the minimum of what needs to be done to satisfy the State's requirement without going into any detail. Engineer Buczynski said that page 5 would probably be a good place to start regarding goals and objectives. Mr. Kibildis noted page 2 of the last Re-Examination Report referred to the 1998 Housing Element and questioned its relevancy today since that was twenty (20) years ago. Planner Knowles commented that the Introduction will be changed to reflect current status of the town, population numbers, demographics, housing etc. and all of the information found from the last census. If Ogdensburg never did anything with the affordable housing, we'll just leave that alone. Page 2 is basically boilerplate and will be updated.

On Page 3 where it states that Ogdensburg investigated with Franklin, Hamburg and Hardyston the feasibility to join together as a Town Center can be deleted. Because the Town Center would extend the zone into the residential areas, we did not want to see businesses next to residences. Planner Knowles said that she noticed that Mixed Use was missing from the Borough Center Zone which would have the retail businesses on the first floor and residences on the upper floors. Discussion followed regarding the building on Main Street with the store and an apartment on the first floor. The apartment is a pre-existing and non-conforming use. The Single Residential Use should be deleted from the Borough Center Zone.

Vice-Chairman Fitzgibbons voiced his concerns regarding the outdated information in the original Master Plan. Attorney Thomas stated that it would be very expensive to rewrite the entire Master Plan; therefore, the Re-Examination Report of 2018 will suffice.

Engineer Buczynski initiated a discussion regarding a sewer system and everyone agreed to keep the sewer statements in the report since this could possibly be a future project on Main Street. Mr. Andrews recalled that Sparta wanted to run sewers through Plant Street at one time but there were problems with damages, etc.

MEETING MINUTES

August 28, 2018

Page 5.

Mr. Andrews commented that the last report contains tax breaks for x amount of years to businesses for fixing up their property in the center of town. Maybe we should do that for the residents there also.

Chairman Armstrong stated that the owner of the boat business had wanted to purchase and fix up an old house to make it into a carriage house but if he were to put on new siding and façade, the Tax Assessor will increase the assessment and his taxes will go up. Maybe there should be an abatement program for business owners who want to fix up their building; he doesn't get taxed for x amount of time. This Board cannot make that decision but we should have a goal. Mr. Kibildis recalled that the apartment building across the street from the school received a tax abatement years ago.

Property maintenance was discussed and Planner Knowles stated that the aesthetic of the community could be included in the report. RCA's are no longer available because they were under COAH. There is a Housing Rehabilitation Program available to homeowners with low incomes which is an interest free home improvement loan.

Maintain the zoning densities to protect the environment. The Borough has no vacant land to be developed. Goal #2 Chairman Armstrong stated that the Code Enforcement Officer is working too many hours for too little pay. There are too many violations in town. Maybe we can support him or sign complaints. Zoning Officer Kervatt stated that the biggest problems are the vacant properties in probate because a mortgage company in Colorado couldn't care less about a property in Ogdensburg. The Council has been given about five (5) ordinances by the Zoning Officer. Number 2 and 3 under Goal #2 do not apply anymore. Mr. McGuire suggested that the Housing Rehabilitation Program could be added there.

Goal #3 addresses the infrastructure and all five (5) objectives will remain in the report. Mr. Honig remarked that the natural gas is coming in. Councilman Nasisi said that the repair of the pump building on Edison Road will be going out for bid. The suggestions sent from Mr. Fierro regarding recreational grants, etc. will be added to the report. Mr. Andrews asked if we need to incorporate anything about cannabis in the report. Planner Knowles said that it can be limited to zones, sales, growing, etc.

Goal #4 – Objective #1 the higher density residential development can be limited to Main Street. #2 should remain intact. #3 will delete the RCA funds. Franklin has approved a three hundred (300) apartment complex that will increase the traffic flow on Route 517. There is an opportunity to expand on a circulation plan so you have a better understanding of how traffic can and should flow through the town and it can include parking, traffic calming, way finding, etc. It could also talk about signage, how to locate businesses and destinations.

MEETING MINUTES

August 28, 2018

Page 6.

Planner Knowles said that she took a ride before the meeting and there is a sign by the trestle with sites to see in the Borough. She noticed that the sidewalks etc. on Main Street look good. Our signage at the moment is one sign per property, one freestanding and one on the building so we don't have sign pollution. Councilman Nasisi said that the Borough is purchasing new signs. We should have a design standard for signs with a historic theme. Planner Knowles suggested that the percentage of window coverage be added to the sign ordinance. Chairman Armstrong said to develop a parking plan for the Town Center area in the report.

Chairman Armstrong remarked that we need to strengthen our ratable base. The Sterling Mine Museum brings in hundreds of people a year but doesn't pay very much in taxes. They pay taxes on the upper lot which they rent out. Some non-profit organizations receive so much money per bus; for example \$500 per bus and \$10 is given to the Fire Dept. We need a goal in there so they pay more. They give free tours of the Mine to the local students once a year. Mr. McGuire suggested that we establish a tourism tax and place a \$1.00 tax on each ticket. Chairman Armstrong said that he purchased a \$415 airfare ticket and \$35 is for 9/11.

Vice-Chairman Fitzgibbons indicated that it's not a matter of taxing the admission fees or the buses. What we need to look at if we want to develop the town and doing joint programs, development and marketing with the Zinc Company, then we need to talk about it in total and not in bits and pieces. It is a bigger opportunity for the town than it is for the Mine. Planner Knowles would add a sixth goal which talks about the tourism opportunities for the town such as the Mining Museum and the development of hiking and biking trails and recreational things that will bring people through town. But also revitalizing Main Street will give people a reason to stay here.

Mr. Kibildis pointed out that the Mine is non-profit but under the present administration, they make a concerted effort to contribute to the community. It is not through taxation but it's from holding Halloween gatherings, contributing \$7,000 to \$8,000 for class trips, contributing \$2,500 for the parade, contributing some money to the Historical Society. For example with the Halloween situation last year, many organizations in town volunteered with the whole community coming together to raise funds for the eighth grade class trip.

Councilman Nasisi brought up the DOT Grant letter for the bike paths. The State prefers that the bike trails be off road. The grant is offered to all counties and municipalities. Engineer Buczynski stated that it is for on the road bike ways. Chairman Armstrong restated that the town of Ogdensburg supports recreational activities but the town has sixty (60) acres at Heater's Pond for trails with the remaining vacant land is owned by the State.

MEETING MINUTES

August 28, 2018

Page 7.

Engineer Buczynski asked if the Board wanted to keep Objectives 4 through 7 under Goal #5 and they answered in the affirmative. Vice-Chairman Fitzgibbons asked Planner

Knowles if the State still has the Town Center Program and she wasn't sure about that but stated that she has been able to get projects done in other Highlands' towns through funding from them. We've done historic preservation and redevelopment plans. They have been very supportive and never told us what we shouldn't be doing and allowed the town to lead the conversation. If you were to comply with the Planning Area, you could get funding for a lot of stuff. Chairman Armstrong said that he spent a whole day with the Highlands' people in Trenton. Engineer Buczynski stated that Ogdensburg opted out of the Planning Area.

There was a brief discussion of murals on buildings. Chairman Armstrong mentioned that buildings in Long Island with murals do not have graffiti.

Planner Knowles said that she will have the goals and objectives ready for the next meeting. Financing for the Re-Examination Report was discussed and funds will be transferred in November to cover the complete cost.

6. BILLS/VOUCHERS:

Dated 7/31/18 from Weiner Law Group re: Interstate Industrial Mgmt.	\$ 64.00
Dated 8/9/18 from Van Cleef Engineering re: Interstate Industrial Mgmt.	\$125.00
Dated 8/9/18 from Van Cleef Engineering re: General	\$562.50
Dated 7/31/18 from Dolan & Dolan, Esqs. re: General	\$396.05

A motion to approve the bills and vouchers was made by John Kibildis, second by Councilman Nasisi with Armstrong, Fitzgibbons, Honig, Andrews, Telischak, McGuire and Hart also in favor.

7. ADJOURNMENT

A motion to adjourn was made by Vice-Chairman Fitzgibbons, second by Vito Telischak with all in favor. Meeting adjourned at 8:58 P.M.

Blanche Stuckey
Land Use Board Secretary

Date of Approval

